

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

George C. Young United States Courthouse

and Federal Building

Office of the Clerk

80 North Hughes Avenue

Orlando, Florida 32801

407-835-4200

www.flmd.uscourts.gov

04 12631 RCL

Sheryl L. Loesch
Clerk

Laura Barsamian
Orlando/Ocala Division Manager

December 6, 2004

**SUPER VISION INTERNATIONAL, INC.,
Plaintiff,**

-vs-

Case No. 6:04-cv-313-Orl-31JGG

**COLOR KINETICS INCORPORATED,
Defendant.**

TRANSMITTAL OF RECORD TO ANOTHER DISTRICT

The above-referenced case has been transferred to your District pursuant to an Order signed by United States District Judge Gregory A. Presnell on December 3, 2004.

Enclosed is the entire record, certified copy of the docket sheet and an extra copy of this letter. It is requested that you date stamp the copy, complete the portion below, and return it in the envelope provided.

SHERYL L. LOESCH, CLERK

By: s/J. McClung, Deputy Clerk

Receipt of the documents described above is hereby acknowledged.

New Case Number:

04 12631 RCL

Date of Receipt:

By:

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

SUPER VISION INTERNATIONAL, INC.,
Plaintiff,

-vs-

Case No. 6:04-cv-313-Orl-31JGG

COLOR KINETICS INCORPORATED,
Defendant.

ORDER

Upon consideration of Defendant's Motion to Transfer (Doc. 20), Plaintiff's Response (Doc. 28) and Defendant's Reply (Doc. 38); and in light of the recent status report (Doc. 48), it is

ORDERED that Defendant's Motion is GRANTED. Pursuant to 28 U.S.C. § 1404(a), the Clerk is directed to transfer this case to the United States District Court for the District of Massachusetts.

DONE and **ORDERED** in Chambers, Orlando, Florida on December 3, 2004.

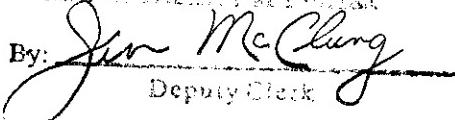

GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party

I certify the foregoing to be a true
and correct copy of the original.

THURSTON L. MCCLENG, Clerk
United States District Court
Middle District of Florida

By: 
Deputy Clerk

MIME-Version:1.0
From:cmeclf_lmd_notification@flmd.uscourts.gov
To:cmeclf_lmd_notices@flmd.uscourts.gov
Message-Id:<1682309@flmd.uscourts.gov>
Bcc:
Subject:Activity in Case 6:04-cv-00313-GAP-JGG Super Vision Int'l v. Color Kinetics, Inc. "Order on motion to transfer case"
Content-Type: text/plain
NOTE TO PUBLIC ACCESS USERS You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.

04 12631 RCL

U.S. District Court
Middle District of Florida

Notice of Electronic Filing

The following transaction was entered on 12/3/2004 at 4:13 PM EST and filed on 12/3/2004

#ident 'rcsid=\\$Header: /ecf/district/server/TextBody,v 3.1 2003-04-25 07:52:35-04 loy Exp \\$'
Case Name: Super Vision Int'l v. Color Kinetics, Inc.
Case Number: 6:04-cv-313 <https://ecf.flmd.uscourts.gov/cgi-bin/DktRpt.pl?69055>

Document Number: 49

Copy the URL address from the line below into the location bar of your Web browser to view the document:

https://ecf.flmd.uscourts.gov/cgi-bin/show_case_doc?49,69055,,MAGIC,

Docket Text:

ORDER granting [20] Motion to transfer case; clerk directed to transfer this case to the District Court for the District of Massachusetts. Signed by Judge Gregory A. Presnell on 12/3/2004. (TKW,)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1069447731 [Date=12/3/2004] [FileNumber=1682308-0]
[2c61bdc0986c40348615b8a3c084d55a39eb1f3817bcae704cb6743ca6d44da33b907d1ead453c3
a51a79ea471b4a3534ad3ec3c8dfd7db0b8c98359739d37d8]]

6:04-cv-313 Notice will be electronically mailed to:
J. Wayne Crosby jwc@brickstreetlaw.com,

Paul E. DeHart ped@litchris.com, dlv@litchris.com; fedcts@litchris.com.

Hal K. Litchford hkl@litchris.com, crh@litchris.com; fedcts@litchris.com

Aaron W. Moore amoore@ll-a.com,

6:04-cv-313 Notice will be delivered by other means to:

Matthew B. Lowrie
Lowrie, Lando & Anastasi, LLP
Riverfront Office Park
One Main St., 11th Floor
Cambridge, MA 02142

JGG, CLOSED

**U.S. District Court
Middle District of Florida (Orlando)
CIVIL DOCKET FOR CASE #: 6:04-cv-00313-GAP-JGG
Internal Use Only**

Super Vision Int'l v. Color Kinetics, Inc.
Assigned to: Judge Gregory A. Presnell
Referred to: Magistrate Judge James G. Glazebrook
Demand: \$10500000
Cause: 35:271 Patent Infringement

Date Filed: 03/05/2004
Jury Demand: Both
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

04 12631 RCL

Super Vision International, Inc.

represented by **J. Wayne Crosby**
J. Wayne Crosby P.A.
220 N. Palmetto Ave.
Suite 200
Orlando, FL 32801
407/423-9700
Fax: 407/423-9730
Email: jwc@brickstreetlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Color Kinetics Incorporated

represented by **Aaron W. Moore**
Lowrie, Lando & Anastasi, LLP
Riverfront Office Park
One Main St., 11th Floor
Cambridge, MA 02142
617/395-7000
Email: amoore@11-a.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hal K. Litchford
Litchford & Christopher, P.A.
390 N. Orange Ave., Suite 2200
P.O. Box 1549
Orlando, FL 32802
407/422-6600

Fax: 407/841-0385
Email: hkl@litchris.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Matthew B. Lowrie
Lowrie, Lando & Anastasi, LLP
Riverfront Office Park
One Main St., 11th Floor
Cambridge, MA 02142
617/395-7000
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul E. DeHart, III
Litchford & Christopher, P.A.
390 N. Orange Ave., Suite 2200
P.O. Box 1549
Orlando, FL 32802
407/422-6600
Fax: 407/841-0325
Email: ped@litchris.com
ATTORNEY TO BE NOTICED

Counter Claimant

Color Kinetics Incorporated

represented by **Hal K. Litchford**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Aaron W. Moore
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Super Vision International, Inc.

represented by **J. Wayne Crosby**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
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03/05/2004	<u>1</u>	COMPLAINT for patent infringement filed; jury demand. Filing fee \$150.00 Receipt #14508 (jrm) (Entered: 03/05/2004)
03/05/2004		MAGISTRATE JUDGE CASE ASSIGNMENT Magistrate assigned: James G. Glazebrook (jrm) (Entered: 03/05/2004)
03/05/2004		SUMMONS issued for Color Kinetics, Inc. (jrm) (Entered: 03/05/2004)
03/08/2004	<u>2</u>	RELATED CASE ORDER, response due within eleven days, and NOTICE of designation under Local Rule 3.05 - TRACK 2. (ctc) (ajd) (Entered: 03/08/2004)
03/08/2004	<u>3</u>	INTERESTED PERSONS ORDER response due within eleven days (Signed by Sr. Judge G. Kendall Sharp) ctc (ajd) (Entered: 03/08/2004)
03/17/2004	<u>4</u>	ORDER The Clerk is directed to reassign this case to another District Judge for all further proceedings. (Signed by Sr. Judge G. Kendall Sharp) ctc (cbh) (Entered: 03/17/2004)
03/17/2004	<u>5</u>	NOTICE OF CASE REASSIGNMENT to the Honorable Judge Gregory A. Presnell. ctc (cbh) (Entered: 03/17/2004)
03/25/2004	<u>6</u>	NOTICE (related case) by Super Vision Int'l of pendency of other actions re: order of compliance to local rule (see explanation on document) (jet) (Entered: 03/25/2004)
03/25/2004	<u>7</u>	CERTIFICATE OF INTERESTED PERSONS and Corporate Disclosure Statement by Super Vision Int'l Re: [3-1] order (jet) (Entered: 03/25/2004)
03/25/2004	<u>8</u>	AGREED MOTION by Color Kinetics, Inc. to extend time to answer or otherwise plead until 4/9/04 (agreed) ; referred to Magistrate Judge James G. Glazebrook (jet) (Entered: 03/25/2004)
03/29/2004	<u>9</u>	INTERESTED PERSONS ORDER for Defendant Color Kinetics Inc. (Response due in 11 days) (Signed by Judge Gregory A. Presnell) ctc (akj) (Entered: 03/29/2004)
04/01/2004	<u>10</u>	ORDER granting [8-1] defendant's motion to extend time to answer or otherwise plead until 4/9/04; set answer due for 4/9/04 for Color Kinetics, Inc. (Signed by Magistrate Judge James G. Glazebrook) ctc (jrm) (Entered: 04/02/2004)
04/09/2004	<u>11</u>	MOTION by defendant Color Kinetics, Inc. for Aaron W. Moore to appear pro hac vice with Hal K. Litchford designated as local counsel

; referred to Magistrate Judge James G. Glazebrook (jrm) (Entered: 04/12/2004)

- | | |
|------------|---|
| 04/09/2004 | <u>12</u> MOTION by defendant Color Kinetics, Inc. for Matthew B. Lowrie to appear pro hac vice with Hal K. Litchford designated as local counsel ; referred to Magistrate Judge James G. Glazebrook (jrm) (Entered: 04/12/2004) |
| 04/09/2004 | <u>13</u> ANSWER and affirmative defenses to complaint; jury demand and COUNTERCLAIM by defendant Color Kinetics, Inc. against plaintiff Super Vision Int'l (jrm) (Entered: 04/12/2004) |
| 04/20/2004 | <u>14</u> ORDER TO SHOW CAUSE why sanctions should not be imposed for failure to respond to the Interested Persons Order. Response due on 5/6/04 for Color Kinetics, Inc. (Signed by Judge Gregory A. Presnell) ctc (jrm) (Entered: 04/20/2004) |
| 04/21/2004 | **ADDED for defendant Color Kinetics, Inc. attorneys Matthew B. Lowrie, Aaron W. Moore (jrm) (Entered: 04/21/2004) |
| 04/21/2004 | <u>15</u> ORDER granting [12-1] defendant's motion for Matthew B. Lowrie to appear pro hac vice with Hal K. Litchford designated as local counsel (Signed by Magistrate Judge James G. Glazebrook 04-20-04) ctc (jrm) (Entered: 04/21/2004) |
| 04/21/2004 | <u>16</u> ORDER granting [11-1] defendant's motion for Aaron W. Moore to appear pro hac vice with Hal K. Litchford designated as local counsel (Signed by Magistrate Judge James G. Glazebrook 04-20-04) ctc (jrm) (Entered: 04/21/2004) |
| 04/29/2004 | <u>17</u> RESPONSE to show cause order filed by defendant Color Kinetics, Inc. (jrm) (Entered: 04/29/2004) |
| 04/29/2004 | <u>18</u> CERTIFICATE OF INTERESTED PERSONS by defendant Color Kinetics, Inc. and corporate disclosure statement Re: [9-1] order (jrm) (Entered: 04/29/2004) |
| 04/30/2004 | <u>19</u> REPLY by plaintiff Super Vision Int'l to [13-2] defendant's counterclaim (jrm) (Entered: 04/30/2004) |
| 06/16/2004 | <u>20</u> MOTION by defendant Color Kinetics, Inc. to transfer venue to the District of Massachusetts (jrm) (Entered: 06/16/2004) |
| 06/16/2004 | <u>21</u> MEMORANDUM by defendant Color Kinetics, Inc. in support of [20-1] motion to transfer venue to the District of Massachusetts (jrm) (Entered: 06/16/2004) |
| 06/16/2004 | <u>22</u> DECLARATION of Aaron W. Moore with attached exhibits by |

defendant Color Kinetics, Inc. re: [20-1] motion to transfer venue to the District of Massachusetts (jrm) (Entered: 06/16/2004)

- 06/22/2004 23 ORDER TO SHOW CAUSE why this case should not be dismissed for lack of prosecution due to the non-filing of a case management report. Response due within 11 days for plaintiff Super Vision Int'l (Signed by Judge Gregory A. Presnell) ctc (jrm) (Entered: 06/23/2004)
- 06/30/2004 24 UNOPPOSED MOTION by plaintiff Super Vision Int'l to extend time until 07-07-04 to respond to defendant's motion to transfer venue to the District of Massachusetts ; referred to Magistrate Judge James G. Glazebrook (jrm) (Entered: 06/30/2004)
- 07/02/2004 25 RESPONSE to show cause order filed by plaintiff Super Vision Int'l (jrm) (Entered: 07/02/2004)
- 07/02/2004 25 ...MOTION by plaintiff Super Vision Int'l to extend time until 07-09-04 to file a case management report (jrm) (Entered: 07/02/2004)
- 07/06/2004 26 ORDER granting [24-1] plaintiff's motion to extend time until 07-07-04 to respond to defendant's motion to transfer venue to the District of Massachusetts; response to motion set to 7/7/04 for [20-1] motion to transfer venue to the District of Massachusetts (Signed by Magistrate Judge James G. Glazebrook) ctc (jrm) (Entered: 07/07/2004)
- 07/07/2004 27 UNOPPOSED MOTION by plaintiff Super Vision Int'l to extend time until 07-09-04 to respond to defendant's motion to transfer venue to the District of Massachusetts ; referred to Magistrate Judge James G. Glazebrook (jrm) (Entered: 07/08/2004)
- 07/09/2004 28 RESPONSE and memorandum in opposition with attached exhibits re 20 Motion to transfer venue to the District of Massachusetts filed by plaintiff Super Vision International, Inc. (JRM) (Entered: 07/12/2004)
- 07/09/2004 29 Consented to MOTION for Extension of Time until 07-16-04 to file a case management report by plaintiff Super Vision International, Inc. (JRM) (Entered: 07/12/2004)
- 07/12/2004 30 ORDER granting 27 Motion to extend time nunc pro tunc. Signed by Judge James G. Glazebrook on 7/12/2004. (Glazebrook, James) (Entered: 07/12/2004)
- 07/13/2004 COPIES mailed (JRM) (Entered: 07/14/2004)
- 07/16/2004 31 ORDER. Defendant is requested to file a Reply (10p limit) to

Plaintiff's Response (doc #28) to Defendant's motion to transfer venue by July 26, 2004. Signed by Judge Gregory A. Presnell on 7/16/2004. (Presnell, Gregory) (Entered: 07/16/2004)

07/16/2004	❸ <u>32</u>	CASE MANAGEMENT REPORT. (Litchford, Hal) (Entered: 07/16/2004)
07/19/2004		COPIES mailed to Counsel: J. Wayne Crosby, Matthew B. Lowrie, Aaron W. Moore re [31] Order (JRM) (Entered: 07/19/2004)
07/19/2004	❸ <u>33</u>	CASE MANAGEMENT AND SCHEDULING ORDER: Signed by Judge Gregory A. Presnell on 7/19/2004. (TKW,) (Entered: 07/19/2004)
07/19/2004	34	CASE REFERRED to mediation; deadline 06-30-05. Parties to jointly select a mediator within 11 days. ***Set flags. Set scheduling order deadlines: Final Pretrial Conference set for 2/13/2006 04:00 PM in Courtroom 3 before Judge Gregory A. Presnell. Amended Pleadings due by 8/31/2004. Discovery due by 5/30/2005. Joinder of Parties due by 8/31/2004. Jury Trial set for 3/1/2006 09:00 AM in Courtroom 3 before Judge Gregory A. Presnell. Dispositive motions due by 7/29/2005. Pretrial statement due by 1/16/2006. (JRM) (Entered: 07/20/2004)
07/20/2004		COPIES mailed to Counsel: J. Wayne Crosby, Matthew B. Lowrie, Aaron W. Moore re <u>33</u> Case management and scheduling order (JRM) (Entered: 07/20/2004)
07/21/2004	❸ <u>35</u>	ORDER granting nunc pro tunc <u>25</u> Motion to extend time, granting nunc pro tunc <u>29</u> Motion for Extension of Time to File. Signed by Judge James G. Glazebrook on 7/21/2004. (Glazebrook, James) (Entered: 07/21/2004)
07/22/2004		COPIES mailed to Counsel: J. Wayne Crosby, Matthew B. Lowrie re [35] Order on motion to extend time, Order on Motion for Extension of Time to File (JRM) (Entered: 07/22/2004)
07/26/2004	❸ <u>36</u>	UNOPPOSED MOTION for leave to file excess pages to reply brief by Color Kinetics Incorporated. (Attachments: # <u>1</u> Exhibit Reply # <u>2</u> Exhibit Opposition)(Litchford, Hal) Modified on 7/27/2004 (JRM). (Entered: 07/26/2004)
07/27/2004	❸ <u>37</u>	ORDER granting <u>36</u> Motion for Leave to File Excess Pages . Signed by Judge Gregory A. Presnell on 7/27/2004. (Presnell, Gregory) (Entered: 07/27/2004)
07/27/2004	❸ <u>38</u>	REPLY to response to motion re <u>20</u> Motion to transfer case filed by Color Kinetics Incorporated. (Attachments: # <u>1</u> Exhibit)(Litchford,

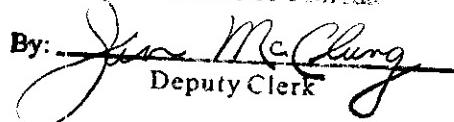
Hal) (Entered: 07/27/2004)

07/28/2004	COPIES mailed to Counsel: J. Wayne Crosby, Matthew B. Lowrie re [37] Order on Motion for Leave to File Excess Pages (JRM) (Entered: 07/28/2004)
07/30/2004	❸ <u>39</u> STIPULATION of Selection of Mediator Jay Cohen by Color Kinetics Incorporated, Super Vision International, Inc. (Crosby, J.) Modified on 8/2/2004 (JRM). (Entered: 07/30/2004)
08/06/2004	❸ <u>40</u> NOTICE of Hearing: Motion to Transfer Venue (Doc. No. 20) Hearing set for 8/25/2004 03:00 PM in Courtroom 3 before Judge Gregory A. Presnell. ctc(AKJ) (Entered: 08/06/2004)
08/19/2004	❸ <u>41</u> Joint MOTION to continue or Reschedule Hearing by Color Kinetics Incorporated, Super Vision International, Inc.. (DeHart, Paul) (Entered: 08/19/2004)
08/19/2004	❸ <u>42</u> Joint MOTION to amend/correct <u>32</u> Case Management Report to Correct Scrivner's Error by Color Kinetics Incorporated. (DeHart, Paul) (Entered: 08/19/2004)
08/20/2004	❸ <u>43</u> ORDER granting <u>42</u> motion to amend/correct . Signed by Judge Gregory A. Presnell on 8/20/2004. (Presnell, Gregory) (Entered: 08/20/2004)
08/20/2004	COPIES mailed to Counsel: Matthew B. Lowrie re [43] Order on motion to amend/correct (JRM) (Entered: 08/20/2004)
08/23/2004	❸ <u>44</u> ORDER granting <u>41</u> Motion to continue hearing; amended notice of hearing rescheduling hearing on <u>20</u> motion to transfer venue for Wednesday, September 8, 2004 at 10:00 a.m.. Signed by Judge Gregory A. Presnell on 8/23/2004. (TKW,) (Entered: 08/23/2004)
08/23/2004	❸ Set deadline as to <u>20</u> Motion to transfer case. Motion Hearing set for 9/8/2004 10:00 AM in Courtroom 3 before Judge Gregory A. Presnell. (JRM) (Entered: 08/24/2004)
09/02/2004	❸ <u>45</u> Amended NOTICE of Hearing: Motion to Transfer Venue <u>20</u> Hearing set for 9/16/2004 01:30 PM in Courtroom 3 before Judge Gregory A. Presnell; previously scheduled for Wed., 9/8/04 at 10:00 a.m. (TKW,) (Entered: 09/02/2004)
09/08/2004	COPIES mailed to Counsel: Matthew B. Lowrie re <u>45</u> Notice of Hearing (JRM) (Entered: 09/08/2004)
09/14/2004	❸ <u>46</u> Joint MOTION to continue Hearing by Color Kinetics Incorporated. (Attachments: # <u>1</u> Exhibit A)(Litchford, Hal) (Entered: 09/14/2004)

09/14/2004	④7	ORDER granting <u>46</u> Motion to continue hearing. The court will consider whether to re set this hearing after it is informed of the decision of the Mass District Court regarding Super Vision's Motion to Vacate Order Allowing Plaintiff to File a Second Amended Complaint in Case # 02 cv 11137. Signed by Judge Gregory A. Presnell on 9/14/2004. (Presnell, Gregory) (Entered: 09/14/2004)
09/15/2004		COPIES mailed to Counsel: Matthew B. Lowrie re [47] Order on motion to continue, (JET) (Entered: 09/15/2004)
09/15/2004		***Deadlines terminated (hearing for 9/16/04 canceled per Order #47). (JET) (Entered: 09/15/2004)
12/02/2004	④8	STATUS REPORT by Color Kinetics Incorporated. (Litchford, Hal) (Entered: 12/02/2004)
12/03/2004	④9	ORDER granting <u>20</u> Motion to transfer case; clerk directed to transfer this case to the District Court for the District of Massachusetts. Signed by Judge Gregory A. Presnell on 12/3/2004. (TKW,) (Entered: 12/03/2004)
12/03/2004	⑤0	TRANSFER to the District of Massachusetts with entire record and certified copy of docket sheet. (JRM) (Entered: 12/06/2004)
12/06/2004		COPIES mailed to Counsel: Matthew B. Lowrie re <u>49</u> Order on motion to transfer case. ***Set/clear flags (JRM) (Entered: 12/06/2004)

I certify the foregoing to be a true and correct copy of the original.

SERENA J. MCCLUNG, Clerk
United States District Court
Middle District of Florida

By: 
Deputy Clerk

JS-44 (Rev. 3/99)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS**SUPER VISION INTERNATIONAL, INC.**(b) County of Residence of First Listed Orange, Florida

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
 J. Wayne Crosby, Esq., Trial Counsel
 J. Wayne Crosby, P.A.
 Suite 200, 220 North Palmetto Avenue
 Orlando, Florida 32801
 Telephone: 407-423-9700

DEFENDANTS**COLOR KINETICS INCORPORATED**

County of Residence of First Listed

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|---|---|
| <input checked="" type="checkbox"/> G 1 U.S. Government Plaintiff | <input checked="" type="checkbox"/> G 3 Federal Question (U.S. Government Not a Party) |
| <input checked="" type="checkbox"/> G 2 U.S. Government Defendant | <input checked="" type="checkbox"/> G 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

PTF	DEF	PTF	DEF
Citizen of This State <input checked="" type="checkbox"/> G 1	Incorporated or Principal of Business In This State <input checked="" type="checkbox"/> G 4	Citizen of Another <input checked="" type="checkbox"/> G 2	Incorporated and/Principal of Business In Another State <input checked="" type="checkbox"/> G 5
Citizen or Subject of a Foreign Country <input checked="" type="checkbox"/> G 3	Foreign Nation <input checked="" type="checkbox"/> G 6		

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> G 110 Insurance	<input checked="" type="checkbox"/> PERSONAL INJURY	<input checked="" type="checkbox"/> G 610 Agriculture	<input checked="" type="checkbox"/> G 422 Appeal 28 USC 158	<input checked="" type="checkbox"/> G 400 State Reapportionment
<input checked="" type="checkbox"/> G 120 Marine	<input checked="" type="checkbox"/> G 310 Airplane	<input checked="" type="checkbox"/> G 620 Other Food & Drug	<input checked="" type="checkbox"/> G 423 Withdrawal 28 USC 157	<input checked="" type="checkbox"/> G 410 Antitrust
<input checked="" type="checkbox"/> G 130 Miller Act	<input checked="" type="checkbox"/> G 315 Airplane Product Liability	<input checked="" type="checkbox"/> G 625 Drug Related Seizure of Property 21 USC	<input checked="" type="checkbox"/> G 430 Banks and Banking	
<input checked="" type="checkbox"/> G 140 Negotiable Instrument	<input checked="" type="checkbox"/> G 320 Assault, Libel & Slander	<input checked="" type="checkbox"/> G 630 Liquor Laws	<input checked="" type="checkbox"/> G 450 Commerce ICC Rate Setting	
<input checked="" type="checkbox"/> G 150 Recovery of Overpayment & Enforcement of Judgment	<input checked="" type="checkbox"/> G 330 Federal Employers' Liability	<input checked="" type="checkbox"/> G 640 R.R. & Truck	<input checked="" type="checkbox"/> G 460 Deportation	
<input checked="" type="checkbox"/> G 151 Medicare Act	<input checked="" type="checkbox"/> G 340 Marine Liability	<input checked="" type="checkbox"/> G 650 Airline Regs.	<input checked="" type="checkbox"/> G 470 Racketeer Influenced and Corrupt Organizations	
<input checked="" type="checkbox"/> G 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input checked="" type="checkbox"/> G 345 Marine Product Liability	<input checked="" type="checkbox"/> G 660 Occupational Safety Health	<input checked="" type="checkbox"/> G 810 Selective Service	
<input checked="" type="checkbox"/> G 153 Recovery of Overpayment of Veteran's Benefits	<input checked="" type="checkbox"/> G 350 Motor Vehicle Liability	<input checked="" type="checkbox"/> G 690 Other	<input checked="" type="checkbox"/> G 850 Securities Commodities Exchange	
<input checked="" type="checkbox"/> G 160 Stockholders' Suits	<input checked="" type="checkbox"/> G 355 Motor Vehicle Product Liability	<input checked="" type="checkbox"/> G 820 Copyrights	<input checked="" type="checkbox"/> G 875 Customer Challenge 12 USC 3410	
<input checked="" type="checkbox"/> G 190 Other Contract	<input checked="" type="checkbox"/> G 360 Other Personal Injury	<input checked="" type="checkbox"/> G 830 Patent	<input checked="" type="checkbox"/> G 891 Agricultural Acts	
<input checked="" type="checkbox"/> G 195 Computer Product Liability	<input checked="" type="checkbox"/> G 365 Property Damage	<input checked="" type="checkbox"/> G 840 Trademark	<input checked="" type="checkbox"/> G 892 Economic Stabilization Act	
REAL PROPERTY	CIVIL RIGHTS	P R I S O N E R E T I T I O N S	LABOR	SOCIAL SECURITY
<input checked="" type="checkbox"/> G 210 Land Condemnation	<input checked="" type="checkbox"/> G 411 Voting	<input checked="" type="checkbox"/> G 510 Motions to Vacate Sentence	<input checked="" type="checkbox"/> G 861 FIA (1395f)	<input checked="" type="checkbox"/> G 893 Environmental Matters
<input checked="" type="checkbox"/> G 220 Foreclosure	<input checked="" type="checkbox"/> G 412 Employment	<input checked="" type="checkbox"/> G 520 Habeas Corpus	<input checked="" type="checkbox"/> G 862 Black Lung (923)	<input checked="" type="checkbox"/> G 894 Energy Allocation Act
<input checked="" type="checkbox"/> G 230 Rent Lease & Eviction	<input checked="" type="checkbox"/> G 413 Housing Accommodations	<input checked="" type="checkbox"/> G 530 General	<input checked="" type="checkbox"/> G 863 DIWC DIWW (405(g))	<input checked="" type="checkbox"/> G 895 Freedom of Information Act
<input checked="" type="checkbox"/> G 240 Torts to Land	<input checked="" type="checkbox"/> G 414 Welfare	<input checked="" type="checkbox"/> G 535 Death Penalty	<input checked="" type="checkbox"/> G 864 SMD Title XVI	<input checked="" type="checkbox"/> G 900 Appeal of Fee Determination Under Equal Access to Justice
<input checked="" type="checkbox"/> G 245 Tort Product Liability	<input checked="" type="checkbox"/> G 440 Other Civil Rights	<input checked="" type="checkbox"/> G 540 Mandamus & Other	<input checked="" type="checkbox"/> G 865 RSI (405(g))	<input checked="" type="checkbox"/> G 950 Constitutionality of State Statutes
<input checked="" type="checkbox"/> G 290 All Other Real Property		<input checked="" type="checkbox"/> G 550 Civil Rights	<input checked="" type="checkbox"/> G 870 Taxes (U.S. Plaintiff or Defendant)	<input checked="" type="checkbox"/> G 899 Other Statutory Actions
		<input checked="" type="checkbox"/> G 555 Prison Condition	<input checked="" type="checkbox"/> G 871 IRS Third Party 26 USC 7609	

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

<input checked="" type="checkbox"/> G 1 Original Proceeding	<input checked="" type="checkbox"/> G 2 Removed from State Court	<input checked="" type="checkbox"/> G 3 Remanded from Appellate Court	<input checked="" type="checkbox"/> G 4 Reinstated or Reopened	<input checked="" type="checkbox"/> G 5 Transferred from another district (specify)	<input checked="" type="checkbox"/> G 6 Multidistrict Litigation	<input checked="" type="checkbox"/> G 7 Judge from Magistrate Judgment
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VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Title 35 of the United States Code for patent infringement relating to United States Patent No. 4,962,687.

VII. REQUESTED IN COMPLAINT:	<input checked="" type="checkbox"/> G CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND	CHECK YES only if demanded in complaint		
VIII. RELATED CASE(S) IF ANY	(See instructions)	U.S. District Court for the District of Massachusetts---Color Kinetics Incorporated v. Super Vision International, Inc., Civil Action No.: 02-CV-11137-MEL	JURY DEMAND:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

DATE

3-4-04

SIGNATURE OF ATTORNEY OF RECORD

J. Wayne Crosby